IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 20TH DECEMBER 2006 / 29TH AGRAHAYANA 1928

WP(C).No. 17425 of 2006(Y)

PETITIONER:
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1. A.P. RAJEEVAN, H.S.A., SOCIAL STUDIES,
SANSKRIT HIGH SCHOOL, VATTOLI,
VADAKARA, KOZHIKODE DISTRICT.

2. K.V. SHEEBA, U.P.S.A., DO.

BY ADV. SRI.R.K.MURALEEDHARAN

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY
SECRETARY TO GOVERNMENT, GENERAL EDUCATION
DEPARTMENT, THIRUVANANTHAPURAM.

2. THE DIRECTOR OF PUBLIC INSTRUCTIONS,
THIRUVANANTHAPURAM.

3. THE DEPUTY DIRECTOR OF EDUCATION,
KOZHIKODE.

4. THE DISTRICT EDUCATIONAL OFFICER,
VADAKARA.
ADDITIONAL RESPONDENTS

5. THE MANAGER, SANSRIT HIGH SCHOOL,
VATTOLI.

Additional respondent is impleaded vide order dated 3-10-06 in I.A.No.13535/06

BY GOVERNMENT PLEADER SRI.T.T.MUHAMOOD
SRI.VINOD MADHAVAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

W.P.(C).No. 17425 OF 2006

Dated this the 20th day of December,2006.

JUDGMENT

The main prayer in the writ petition is for a direction to the respondents to approve the appointment of the petitioners as per Exts.P2 and P3 by sanctioning an additional division during the year 2004-05 treating the stage as a class room or in the alternative approve the appointment of the petitioners with effect from 23-09-2004 that is the date on which the fitness certificate was issued for the new construction having measurement of 20' x 20' during the year 2004-05 and further disburse consequential benefits.

2. Adv.Sri.R.K.Muralidharan, counsel for the petitioner would submit that in regard to the said prayer, the manager has preferred a revision against Exts.P9 and P10.

3. I heard learned Government Pleader also.

4. There will be a direction to the revisional authority under Rule 92 of Chapter XIV A of K.E.R. to take a decision on the revision filed by the manager against Exts.P9 and P10 in accordance with law after hearing the affected parties within a period of two months from the date of receipt of a copy of this judgment.

5. Petitioner shall produce a copy of the revision filed by the manager against Exts.P9 and P10 along with a certified copy of this judgment.

6. This court has passed an interim order directing the Government Pleader to get instruction regarding the interim prayer sought for by the petitioner.

7. A statement is filed, where in it is stated that the stage cannot be considered. It is further stated that on verification it is found that the new accommodation provided can be reckoned for conducting classes in the year 2005-06. Apart from that it is also stated that there is sufficient student strength also to sanction additional division for 2005-06.

8. In the light of the statement filed, there will be a direction to the fourth respondent to consider the question relating to the approval of appointment of the petitioners for the year 2005-06 and take a decision in accordance with law within a period of two months from the date of receipt of a copy of this judgment.

Writ petition is disposed of as above.

K.M.JOSEPH.
JUDGE.

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